

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TUNG THINH LAM,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
MICHAEL ASTRUE,	:	
<i>Commissioner of Social Security,</i>	:	
<i>Defendant.</i>	:	No. 09-4331

ORDER

AND NOW, this 13th day of May, 2011, upon independent review of Plaintiff Tung Thinh Lam's Brief and Statement of Issues in Support of Request for Review (Docket No. 9), Defendant's Response to Mr. Lam's Request for Review (Docket No. 10), Mr. Lam's Reply to the Response (Docket No. 11), and the administrative record, and after careful consideration of the Report & Recommendation of U.S. Magistrate Judge David Strawbridge (Docket No. 13), it is hereby **ORDERED** that:

1. The Report & Recommendation is **APPROVED** and **ADOPTED**;
2. The final decision of the Commissioner denying disability benefits to Mr. Lam is **VACATED**; and
3. This matter is **REMANDED** to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE